

Notice of Allowability

Application No.

09/802,421

Examiner

KIEU-OANH BUI

Applicant(s)

PETERKA, PETR

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on 11/16/2006.
2. ☒ The allowed claim(s) is/are 70-87.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


KIEU-OANH BUI
PRIMARY EXAMINER

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EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

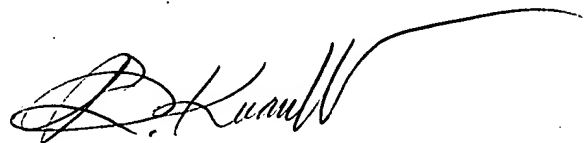
Authorization for this examiner's amendment was given in a telephone interview with Mr. Benjamin Driscoll on February 02, 2007.

The application has been amended as follows:

IN THE CLAIM:

Claim 82; on line 1 and line 3; change the dependency from "...A computer-readable media" to - A computer-readable storage media --.

Claim 82, on line 4, please insert --executable-- in front of --instructions --.

A handwritten signature in black ink, appearing to read "Kieu-Oanh Bui", with a long horizontal flourish extending to the right.

Kieu-Oanh Bui
Primary Examiner
Art Unit 2623

DETAILED ACTION

Drawings

1. The drawings filed on 03/09/2001 are acceptable subject to correction of the informalities.; formal drawing is required. In order to avoid abandonment of this application, correction is required in reply to the Office action. The correction will not be held in abeyance.

Allowable Subject Matter

2. Claims 70-87 have been allowed.

Reasons for Allowance

3. The following is an examiner's statement of reasons for allowance:

Regarding claim 70, and similarly in apparatus claim 76 and its corresponding computer readable media claim 82. The closest prior art of record issued to Schlarb fails to teach or suggest a method for receiving information content from an information distribution system, wherein the information content is divided into a plurality of time-limited portions, comprising the steps of prompting for a pay-by-time subscription to either a first multicast group or a second multicast group for receiving a first or second time-limited portion of the entire information content, respectively, wherein the first time-limited portion and the second time-limited portion at least partially overlap; receiving a selection to subscribe either to the first multicast group or the second multicast group; providing corresponding contents either the first time-limited portion or the second time-limited portion; and then prompting for a pay-by-time subscription to a third multicast group for a third time-limited portion of the entire information content; the prompting

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occurs after the selection to subscribe to the second multicast group and substantially near the end of the second time-limited portion; wherein the first time-limited portion and the third time-limited portion at least partially overlap, and the second time-limited portion and the third time-limited portion at least partially overlap.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to PTO New Central Fax number:

(571) 273-8300, (for Technology Center 2600 only)

*Hand deliveries must be made to Customer Service Window,
Randolph Building, 401 Dulany Street, Alexandria, VA 22314.*

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to "Krista" Kieu-Oanh Bui whose telephone number is (571) 272-7291. The examiner can normally be reached on Monday-Friday from 9:30 AM to 7:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller, can be reached at (571) 272-7353.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Kieu-Oanh Bui
Primary Examiner
Art Unit 2623

KB
Feb. 02, 2007